

From: Henry Stilmack
To: Microsoft ATR
Date: 1/23/02 4:25pm
Subject: Microsoft Settlement

I am writing to register my objection to the proposed Microsoft settlement. I do not believe the current proposal serves the interest of promoting competition or provides an adequate remedy for the impact of Microsoft's past business practices on the American consumer.

Specifically, I believe the current proposal will only further stifle competition by giving Microsoft an advantage in penetration of the educational market under the guise of a settlement. Permitting Microsoft to settle the matter by delivering Microsoft products to school systems, which traditionally tend to favor other vendors (e.g., Apple), would be tantamount to state-sponsorship of the extension of Microsoft's monopoly.

Instead, Microsoft should be required to make payment in cash, and then permit the school systems to direct the use of these funds in the (hopefully technical) areas of their choosing.

Furthermore, I believe the amount of the settlement is grossly inadequate to remove the incentive for Microsoft to continue its practices. I believe Microsoft will treat the settlement as a "cost of doing business", much as any other "administrative overhead".

Finally, I believe the settlement should include requirements for Microsoft to provide open access to interfaces between its products, and to provide an unbundled version of Windows (no Internet Explorer, no Windows Media Player, etc.). These actions are needed to afford competitive products, including open source alternatives, with an environment in which they can compete on a level playing field with a competitor which controls the prevailing desktop operating system technology. Without true, timely and open access to interoperability information, the barriers of entry for alternative commercial and open source products will be too high to overcome the leverage held through its desktop operating system monopoly. To truly avoid a recurrence of past practices, an oversight committee of some sort is truly needed.

Your attention to this matter is greatly appreciated.

Sincerely

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